

HOME DEPARTMENT

Mantralaya, Mumbai 400 032, dated the 8th June, 2007.

NOTIFICATION

MOTOR VEHICLES ACT, 1988.

No. RTA 1002/CR 1/TRA-3. - The following Reciprocal Transport Agreement of the nature referred to in sub-section (5) of Section 88 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988) arrived at between the Government of Maharashtra and Chhattisgarh after following the due procedure is hereby published as required vide sub-section (6) of Section 88 of the Motor Vehicles Act, 1988;

And whereas, the Government of Maharashtra and Chhattisgarh received several representations for introduction of new services connecting Maharashtra and Chhattisgarh and Vice-versa;

And whereas, the draft of the agreement which the Government of Maharashtra proposes to be entered into with the Government of Chhattisgarh in regard to the operation of the stage carriage services etc. more fully specified in the draft Reciprocal Transport Agreement on the Inter-State routes between the two states was published as required by sub-section (5) of section 88 of Motor Vehicles Act, 1988 (Central Act 59 of 1988) in Notification No. No. RTA 1002/CR 1/TRA-3. dated 8th October 2003 inviting representations from persons who have right to make representation on or before 7th November 2003;

And whereas, No representations have been received on the said draft by Government;

Now therefore, in exercise of the powers conferred by sub-section (6) of section 88 of Motor Vehicles Act, 1988 (Central Act 59 of 1988) the Government of Maharashtra hereby publishes the following agreement arrived at between the State of Maharashtra and Chhattisgarh.

The agreement shall come into force with effect from **15th June, 2007.**

First Reciprocal Transport Agreement between Government of Maharashtra and Chhattisgarh.

This agreement made this Eleventh day of July 2003 between the Governor of Maharashtra (hereinafter called "The Government of Maharashtra") of the one part and the Governor of Chhattisgarh (hereinafter called "The Government of Chhattisgarh") of the other.

In exercise of the powers conferred under section 88(5) of the Motor Vehicles Act, 1988 and whereas it is expedient in view of the rapid economic development of the country to encourage the interstate transport of passengers and goods between the State of Maharashtra and Chhattisgarh State and to regulate, co-ordinate and control their operations, it is necessary in the interest of the public in general, it is proposed to enter into a Reciprocal Transport Agreement between the two States.

Now, therefore, the Government of Maharashtra and Government of Chhattisgarh hereby enters into this agreement on the terms and conditions set out hereinafter.

I. Stage Carriage Permits :- (a) Inter-state routes for stage carriages shall mean the routes connecting the main terminal points by shortest way on the either side of border, unless otherwise mutually agreed upon in any particular case or cases.

(b) The stage carriages with number of trips and number of vehicles under operation shall be as per Annexure 'A' & 'B'.

(c) The stage carriage vehicles registered in the State of Chhattisgarh and are operating under this agreement in the State of Maharashtra shall be exempted from the payment of the motor vehicles tax applicable to them in the State of Maharashtra under existing provisions of the Bombay Motor Vehicles Tax Act, 1958 but shall be liable to pay the tax on passengers liable under the Bombay Motor Vehicles (Taxation of Passengers) Act, 1958.

(d) The stage carriage vehicles registered in the State of Maharashtra and are operating under this agreement in the State of Chhattisgarh shall be liable to pay the motor vehicle tax liable under Chhattisgarh Motoryaan Karadhan Adhiniyam, 1991.

(e) The fares and freight chargeable by the operators in the reciprocating State shall not be less than those charged by the operators of that State for similar services. The tickets issued by one State shall be deemed to be valid in the reciprocating state.

(f) Any extension or variation of a portion of an Inter State route lying exclusively in one State may be made by the Transport Authority of that State in respect of services run by the operators of the State without prior consultation with Transport Authority of the other state but it shall be necessary to intimate of this variation to the reciprocating state.

(g) It is agreed in respect of stage carriages operated by the nominees of the two states to extend their operation in the reciprocating state not exceeding 20 kms. measured along any motorable roads from the border subject to countersignature of the State Transport Authority of reciprocating State.

(h) Till the substantive permits on the routes mentioned in the schedules annexed hereto are granted by the Transport Authorities in the Reciprocating State, temporary permits to the nominees of the respective State shall be issued and or countersigned by the Transport Authorities.

(i) The stage carriage bus shall not be allowed to ply on the Inter-state routes, if, it is more than 10 years of age from the date of its initial registration.

(j) If any discrepancy is found in the distances of routes shown in the Schedule "A" and "B", the same shall be corrected through correspondence between the States and it shall not be treated as modification in the agreement.

(k) No standing passengers shall be permitted by either of the States.

(l) Countersigning authority shall be permitted to make necessary changes, if required, in the time table issued by the permit granting authority within its own jurisdiction.

II. Contract Carriages operation of motor cabs on Substantive Permits.- It is agreed that 200 contract carriage permits for motor cabs shall be countersigned by the Transport Authority of the either state. The motor cab covered under the countersignature shall be liable to pay motor vehicles tax of the reciprocating State. This operation shall be subject to the condition that the motor cab shall not have seating capacity of more than six passengers excluding driver.

III. Contract Carriages operation of motor cabs on Temporary Permits :- It is agreed that any number of temporary permits under section 87 of the Motor Vehicles Act, 1988 may be issued for motor cabs for each month by the Transport Authority of either States for single return trip for a specified Inter-State routes, connecting specified terminus without countersignature. The motor vehicles tax shall be payable to the reciprocating state for the period for which the temporary permits so issued may be valid.

IV. Goods Carriage Operation on Substantive Permits :- (a) The quota of goods carriage permits of each state to be countersigned by the Transport Authority of the other state in accordance with the provisions of sub-section 5 of section 88 of the Act shall be 5000.

(b) The countersignature shall be granted for plying the vehicles on all National and State Highways with a deviation upto 30 kilometers except the routes prohibited in accordance with section 115 of the Act. For this purpose both the States will exchange lists of prohibited routes in each State from time to time.

(c) The vehicles shall not on their return journey pick-up any goods between any two points lying exclusively within the territory of the reciprocating State for setting down such goods at any place or route in that State :

Provided that on the forward journey there shall be no restriction on setting down goods anywhere in the reciprocating State but no goods shall be picked up in that state.

(d) The goods carriages of Chhattisgarh State plying on substantive permits countersigned by State Transport Authority, Maharashtra shall be liable to pay tax of Rs. 5,000/- per annum per vehicle for minimum one year in advance substantive primary permits. The goods carriages of Maharashtra State plying on substantive permit countersigned by the Transport Authority, Chhattisgarh shall pay tax as per Chhattisgarh Motoryaan Karadhan Adhiniyam, 1991.

(e) The countersignature granted shall be valid for the duration of the period for which all taxes due to the reciprocating state have been paid in advance.

(f) If the countersignature holders fail to pay tax as indicated in sub-clause (d) within 2 months from the date of expiry of the period for which the tax was last paid the countersignature shall be deemed to be canceled under intimation to original permit granting Authority.

(g) No refund of tax paid in advance shall be permitted on account of dormancy of the permit pending replacement of the vehicle.

(h) The refund of tax paid in-advance on account of non-use of motor vehicle shall be allowed for the period not less than two consecutive quarters if intimation to that effect is given in writing before commencement of the period of non-use of motor vehicle and before the expiry of the current period for which the tax on such vehicle has been paid and tax book of the reciprocating state is surrendered and also certificate of non-use of motor vehicle, issued by the home state taxation authority is produced.

(i) A goods carriage vehicle plying on the Inter-state route on the authority of a countersignature shall carry a distinctive board as specified in the Annexure "C" to be displayed on the front side of the vehicle indicating that the vehicle holds a countersignature of the other state together with the serial number of countersignature.

(j) No countersignature on the permit shall be granted to a goods carriage which is 12 years old or more from the date of initial registration.

V. Goods Carriage Operation on Temporary Permit :- Transport Authority of either State without prior concurrence of the reciprocating state shall issue any number of temporary permit for goods carriages. A temporary permit shall be valid for a period not exceeding one month. Temporary permits so issued shall be subject to the following conditions:-

(a) That the vehicle shall not be used for picking up and setting down goods between any two points lying exclusively within the jurisdiction of the reciprocating state.

(b) That the vehicle shall be liable to pay the motor vehicle tax in advance to the reciprocating state. Tax due to the reciprocating state shall be paid at the border check post of Motor Vehicles/Transport Department in whose jurisdiction the point of entry falls.

(c) Transport Authority of the permit issuing state shall send a statement of temporary permits issued, once in a month for necessary verification.

VI. Private Service Vehicles :- It is agreed that 50 permits may be issued for private service vehicles by each state which shall be countersigned by the reciprocating states. The Motor Vehicles Tax shall be payable to the reciprocating states for the period for which the permit so issued may be valid and on double point tax payment basis.

VII. General :- (1) The vehicles other than stage carriages plying on temporary permit under the agreements shall be liable to pay motor vehicle tax to the reciprocating State in advance and such tax shall be remitted in accordance with the procedure specified in clause 5 (b).

(2) The reciprocating State shall accord recognition to tax payments, and conductor licenses of motor vehicles plying on the Inter-State routes in accordance with this agreement.

(3) The vehicles owned by the Government of Reciprocating State used for non-commercial purpose shall be totally exempted from payment of motor vehicles tax.

(4) In every permit granted under this agreement the following conditions shall be incorporated :-

"The permit is issued strictly in terms of the Inter-state agreement between the Maharashtra and Chhattisgrah. If the permit holder or his agent or his driver uses the vehicle in a manner not authorized by the permit such uses shall be deemed to be without any valid permit and the Transport Authority which detects such use is free to take such action as its' Transport Authority may take.

(5) The countersignature granted under this agreement shall be subject to the condition that it shall be valid only for the duration of the period for which all taxes due to the reciprocating state have been paid.

(6) In respect of operation of stage carriage plying in terms of this agreement where the terminal point of a full stage on a border route does not synchronize with the Inter-State border the nominee of such state shall be permitted to stretch the unfinished stage into the territory of the reciprocating state so as to complete the unfinished stage and in such cases the fare charged for such stage shall be for one stage only.

(7) The stage carriage shall be permitted to divert their services on Inter-state routes specified in the agreement in case of construction of new road subject to the approval of concerned State Transport Authority.

(8) The State Transport Undertaking (STU) shall be permitted to substitute the vehicles mentioned in the permit under intimation to the reciprocating State Transport Authority as and when required.

(9) Both the reciprocating states shall allow the stage carriages of the other state to take up and settle down the passengers from their respective notified bus terminals.

(10) This agreement shall remain in force until it is reviewed and a new agreement comes into force or until it is rescinded or modified by mutual consent on three months notice by either side.

In witness whereof the parties herein to have signed this agreement on 22nd January, 2007.

G. S. GILL
Principal Secretary,
Government of Maharashtra.
for and on behalf of the
Governor of Maharashtra

ASHOK JUNEJA
Special Secretary,
Transport Department,
Government of Chhattisgarh
for and on behalf of the
Governor of Chhattisgarh

(1) Witness

Transport Commissioner,
Maharashtra

(2) Witness

Transport Commissioner,
Chhattisgarh

Annexure "A"

Inter-state routes allotted to Maharashtra.

| Sr. No. | Route | Distance In KMS | | Total | No. of single trip Total | Total Kms in C.G. | No. of Permits. |
|---------|---|-----------------|-------------|-------------|--------------------------|-------------------|-----------------|
| | | MH | C.G. | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| 1 | Nagpur to Raipur via Bhandara | 152 | 137 | 289 | 14 | 1918 | 14 |
| 2 | Bhandara to Raipur. | 88 | 137 | 225 | 4 | 548 | 4 |
| 3 | Gondia to Dongargarh | 67 | 16 | 83 | 2 | 32 | 2 |
| 4 | Bhandara to Rajnandgaon. | 124 | 64 | 188 | 2 | 128 | 2 |
| 5 | Chandrapur to Raipur via Mul, BRM, Kurkheda. | 267 | 137 | 404 | 4 | 548 | 4 |
| 6 | Aheri to Raipur | 301 | 137 | 438 | 2 | 274 | 2 |
| 7 | Kakodi to Banjari | 3 | 3 | 6 | 6 | 18 | 2 |
| 8 | Gadchiroli to Rajnanadgaon via DhanoraMurumgaon, Savargaon, Manpur, Kohadberi, Khadgaon, Deori. | 77 | 123 | 200 | 6 | 738 | 6 |
| 9 | Nagpur-Rajnandgaon | 152 | 67 | 219 | 2 | 134 | 2 |
| 10 | Gadchiroli to Rajananadgaon via Dhanora, Manpur, Mohalla Chowki, Dongargaon | 77 | 112 | 189 | 4 | 448 | 2 |
| 11 | Gadchiroli to Manpur | 77 | 13 | 90 | 6 | 78 | 2 |
| 12 | Gadchiroli to Raipur | 77 | 193 | 270 | 4 | 772 | 4 |
| 13 | Gondia to Raipur | 75 | 137 | 212 | 4 | 548 | 4 |
| 14 | Chandrapur to Rajnandgaon | 218 | 74 | 292 | 4 | 296 | 4 |
| | TOTAL | 1755 | 1350 | 3105 | 64 | 6480 | 54 |

Annexure "B"
Inter-State routes allotted to Chhattisgarh

| Sr. No. | Route | Distance In KMS | | Total | No.of single trip Total | Total Kms in C.G. | No.of Permits. |
|---------|---|-----------------|-------------|-------------|-------------------------|-------------------|----------------|
| | | MH | C.G. | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| 1 | Rajpur to Nagpur via Rajnandgaon, Deori, Bhandara. | 137 | 151 | 288 | 14 | 2114 | 14 |
| 2 | Dongargarh to Gondia via Chichola. | 16 | 67 | 83 | 4 | 268 | 2 |
| 3 | Rajnandgaon to Nagpur via Deori. | 67 | 150 | 217 | 4 | 600 | 2 |
| 4 | Rajnandgaon to Chandrapur via Gadchiroli. | 123 | 160 | 273 | 4 | 640 | 4 |
| 5 | Manpur to Gadchiroli. | 10 | 77 | 87 | 4 | 308 | 2 |
| 6 | Kawardha to Chandrapur via Khairagarh, Dongargarh, Deo. | 161 | 299 | 460 | 2 | 598 | 4 |
| 7 | Jagdalpur to Dironcha via Bhopalpatnam. | 210 | 51 | 261 | 4 | 204 | 4 |
| 8 | Bailadila to Sironcha via Geedam. | 96 | 51 | 147 | 2 | 102 | 2 |
| 9 | Balodabazar to Nagpur via Raipur, Durg. | 222 | 151 | 373 | 4 | 604 | 4 |
| 10 | Durg to Nagpur | 97 | 151 | 248 | 2 | 302 | 2 |
| 11 | Pakhanjoor to Gadchiroli via Pendri, Chandgaon. | 11 | 84 | 95 | 4 | 336 | 2 |
| 12 | Pakhanjoor to Alapalli via Pendri, Yetapelli. | 11 | 61 | 72 | 4 | 244 | 2 |
| | TOTAL | 1161 | 1453 | 2604 | 52 | 6320 | 44 |

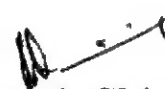
Annexure "C"

----- 80 CMS -----

| | | |
|---------|--|---|
| 20 Cms | <u>Maharashtra /Chhattisgarh State</u> <u>Goods Carrier</u> | White background and black letters. |
| 10 Cms. | <u>Counersigned in Chhattisgarh</u> <u>Maharashtra State under number</u> | Black background and yellow letters. |

This board shall be displayed above the driver's cabin while operating in the reciprocating State under countersignature granted by the State.

By order and in the name of the Governor of Maharashtra.


(**Ramesh Shinde**)
Deputy Secretary to Government
of Maharashtra
